

# HOUSE BILL 394

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By: **Delegates Dumais, Eckardt, and Kullen**  
Introduced and read first time: January 29, 2010  
Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Services – Programming and Services for Females**

3 FOR the purpose of requiring the Department of Juvenile Services to serve children in  
4 the juvenile services system with programming that provides females, on a  
5 regional basis, with certain services substantially equivalent to those offered to  
6 males; and generally relating to juvenile services.

7 BY repealing and reenacting, with amendments,  
8 Article – Human Services  
9 Section 9–238.1  
10 Annotated Code of Maryland  
11 (2007 Volume and 2009 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article – Human Services**

15 9–238.1.

16 (a) The Department shall serve children in the juvenile services system with  
17 programming that:

18 (1) ensures the safety of the community and the children served;

19 (2) holds delinquent children accountable to victims and communities;

20 (3) assists children to develop competencies to become successful  
21 members of society;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) delivers services on a regional basis through at least four  
2 operational regions;

3 (5) ensures that a committed facility owned by the Department serves  
4 no more than 48 children at one time; [and]

5 (6) uses detention and committed facilities that are operationally  
6 separate from each other and that do not share common program space, including  
7 dining halls and educational or recreational facilities; AND

8 (7) PROVIDES FEMALES, ON A REGIONAL BASIS, WITH A RANGE  
9 AND QUALITY OF SERVICES SUBSTANTIALLY EQUIVALENT TO THOSE OFFERED  
10 TO MALES.

11 (b) A region shall:

12 (1) include at least one secure facility used solely for children pending  
13 court disposition and children awaiting placement after disposition;

14 (2) except for specialized services as provided in subsection (c) of this  
15 section, include a number of committed facilities estimated to be necessary to  
16 diagnose, care for, train, educate, and properly rehabilitate every child from the region  
17 in the custody of the Department; and

18 (3) include a nonpublic facility only if the Department determines that  
19 the facility:

20 (i) has provided or will efficiently and effectively provide  
21 adequate care for the children placed in the facility; and

22 (ii) has demonstrated or will demonstrate a record of success  
23 based on standards promulgated by the Department.

24 (c) The Department may place a child into a committed facility outside the  
25 child's region if a determination is made by the Department that specialized services  
26 for the child require the placement in the best interests of the child.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2010.